

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Evelyn Gomez-Allan

Docket No. 5:12-CR-225-1FL

Petition for Action on Supervised Release

COMES NOW Dewayne L. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Evelyn Gomez-Allan, who, upon an earlier plea of guilty to Conspiracy to Defraud Government with Respect to Claims, in violation of 18 U.S.C. § 286, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on October 3, 2013, to the custody of the Bureau of Prisons for a term of 20 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Evelyn Gomez-Allan was released from custody on May 1, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

As a condition of supervision, the defendant was ordered to pay restitution in the amount of \$998,266 (jointly and severally liable with Tracie Jones Mathis) at a rate of \$500 per month to commence 60 days after her release from custody. Due to the defendant's compliance, she was referred to our Low Intensity Program on October 7, 2016. Both the defendant, age 64, and her husband have medical issues, and Gomez-Allen has only been able to work part-time. The defendant has paid a total of \$17,294.50 on her case but has only made partial payments totaling \$525.50 since April 10, 2017. After reviewing the defendant's financial status, we feel that a reduction of the monthly payment to \$100 is appropriate.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant's monthly monetary obligation is hereby reduced to \$100.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield


Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Dewayne L. Smith

Dewayne L. Smith
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2338
Executed On: July 12, 2017

ORDER OF THE COURT

Considered and ordered this 12th day of July, 2017, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge